

LEGAL AID IN NATIONAL LAWS: Sweden

Sweden

<p>Is legal aid available? Who is eligible for it?</p>	<p>The right to legal aid in Sweden is governed by the Legal Aid Act, and the provision of legal aid is handled by the Legal Aid Authority (the “LAA”) according to this Act.</p>
<p>What is the criteria to be eligible for legal aid?</p>	<p>The claimant must first receive at least one hour (and up to two hours) of legal advice from their legal representative, for a fixed fee payable by the claimant (1654 SEK per hour as of 2016, reduced by half if the claimant’s income is less than 75,000 SEK per year, and waived if the claimant is not of legal age and has no income and assets). It is important that it is agreed between the claimant and the legal representative that the advice is provided under the Legal Aid Act. The claimant and the legal representative should then together make an application for legal aid.</p> <p>Otherwise, the claimant:</p> <ul style="list-style-type: none">• must not be protected by legal protection cover through any insurance policy (although if the claimant does not have such an insurance policy, but in the light of their financial situation the LAA considers that the claimant ought to hold such an insurance policy, the claimant may be denied legal aid);• must not have an economic base of more than 260,000 SEK per year;• must have a need for legal aid and it must be reasonable that the state contributes to the costs (this assessment is made by the LAA). <p>Legal aid is not available for simple registration matters such as registrations of ownership, mortgages of property, tax returns, wills, marriage contracts etc.</p>
<p>Where can you file the application for legal aid?</p>	<p>The application form is available and can be completed online (http://www.rattshjalp.se/Ar-du-juridiskt-ombud/Blanketter/). The application form should then be printed, signed (by both the claimant and the legal representative) and submitted to the relevant court or to the LAA.</p>
<p>What expenses are covered?</p>	<ul style="list-style-type: none">• Part of the cost of the claimant’s legal representative, up to 100 hours of advice (this can be extended in special circumstances, and for minors without income and assets, the entire cost is covered);• Costs for evidence in court;• Investigation costs up to SEK 10 000 (excluding VAT);

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	<ul style="list-style-type: none">• Costs of an interpreter and translation;• The filing fee in court (if the claimant has legal aid at the time of the application);• Copies of papers and documents from authorities; and• Cost of a mediator. <p>A claimant is expected to contribute to the extent that they can afford. The LAA decides how much the claimant will contribute, and how much will be paid by the state.</p>
Is there freedom to choose a lawyer?	<p>Yes, the claimant may find and choose a lawyer through the Swedish Bar Association: https://www.advokatsamfundet.se/Advokatsamfundet-engelska/Find-a-lawyer/</p> <p>However, law firms are not obliged to give advice under the Legal Aid Act.</p>
Further information	<ul style="list-style-type: none">• http://www.rattshjalp.se/In-English/In-English/Are-you-entitled-to-legal-aid/• http://www.rattshjalp.se/Vad-ar-rattshjalp/